

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

JOSHUA WILSON, <i>et al</i>	§	
	§	Case No. 4:22-cv-438-ALM
Plaintiffs	§	
	§	
v.	§	PLAINTIFFS' RESPONSE TO
	§	COURT'S ORDER TO SHOW
LLOYD AUSTIN, III, <i>et al.</i>	§	CAUSE (ECF 35); UNOPPOSED
	§	MOTION TO WITHDRAW PI
Defendants	§	MOTION (ECF 9)

PLAINTIFFS' RESPONSE TO COURT'S SHOW CAUSE ORDER/
MOTION TO WITHDRAW PI MOTION

In light of the Court's Order (ECF 35), including the significantly changed landscape noted therein since the filing of the Plaintiffs' Motion for Preliminary Injunction (ECF 9), Plaintiffs' counsel Move the Court to allow Plaintiffs to Withdraw the Motion. Defendants' counsel do not oppose the Motion.

By separate filing, Plaintiffs' and Defendants' counsel, having met and conferred, will submit to the Court a proposed briefing schedule for a Motion to Dismiss by Defendants and Response or Amendment under Rule 15 by Plaintiffs. This should clarify and narrow the issues that remain to be considered by the Court for disposition in light of the Mandate's Rescission.

Counsel has enclosed a proposed order for the Court.

Dated: Feb. 17, 2023

Respectfully submitted,

/s/ Dale Saran

Dale Saran, Esq.
MA Bar #654781
19744 W 116th Terrace
Olathe, KS 66061
Telephone: 480-466-0369
Email: dalesaran@gmail.com

/s/ Brandon Johnson

Brandon Johnson, Esq.
DC Bar No. 491370
Defending the Republic
2911 Turtle Creek Blvd.,
Suite 300 Dallas, TX 75219
Tel. 214-707-1775
Email: bcj@defendingtherepublic.org

/s/ Jerri Lynn Ward

Jerri Lynn Ward, Esq.
Texas Bar #20844200
Garlo Ward, P.C.
1017 Rose Circle
College Station, Texas 77840
(512) 302-1103 ext. 115
jward@garloward.com

Attorneys for the Plaintiffs

CERTIFICATE OF SERVICE

This 17th day of February, 2023, the foregoing Plaintiffs' Motion was e-filed using the CM/ECF system.

/s/ Dale Saran

Dale Saran

CERTIFICATE OF CONFERENCE

Counsel complied with the meet and confer requirement in Local Rule CV-7(h) and discussed the withdrawal of the prior motion. Government counsel indicated no objection to the withdrawal of the Motion.

/s/ Dale Saran
Dale Saran